

# Notice of Allowability

Application No.

10/781,222

Examiner

Julio R. Perez

Applicant(s)

Hawe, William

Art Unit

2681

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/18/04.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

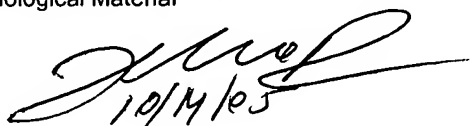
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

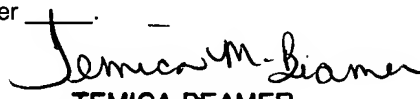
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 10/28/04, 4/28/05, 05/27/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
10/14/05

  
TEMICA BEAMER  
PRIMARY EXAMINER

### **DETAILED ACTION**

#### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Mary Steubing on 10/12/05.

The application has been amended as follows:

In the claims:

Claim 1, line 4 the word "the" following the word "ascertaining" has been changed to "a" and the word "the" after the word "around" has been changed to "a"

Claim 1, line 7 the word "the" following the word "calculating" has been changed to "a"

Claim 2, lines 1-2 "the system characteristic" following the words "and wherein", has been changed to "the dynamic attribute"

#### ***Allowable Subject Matter***

2. The following is an examiner's statement of reasons for allowance: prior art teaches methods for determining location of wireless devices and motion detectors for determining motion of mobile devices. However, the prior art does not suggest or teach methods of ascertaining dynamic attributes in a system wherein calculating the absolute

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difference between the long term average and the short term average in the case that the difference is greater than the allowable range, in which indication that the dynamic system attribute has been positively identified and wherein if the difference is less than the allowable range, continuing with the addition of number of samples of the variable for the long term average and continuing to update the sliding window for the short term average.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio R. Perez whose telephone number is (571) 272-7846. The examiner can normally be reached on 7:00 - 4:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272- 4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Julio Perez  
10/14/05



TEMICA BEAMER  
PRIMARY EXAMINER  
10/17/05

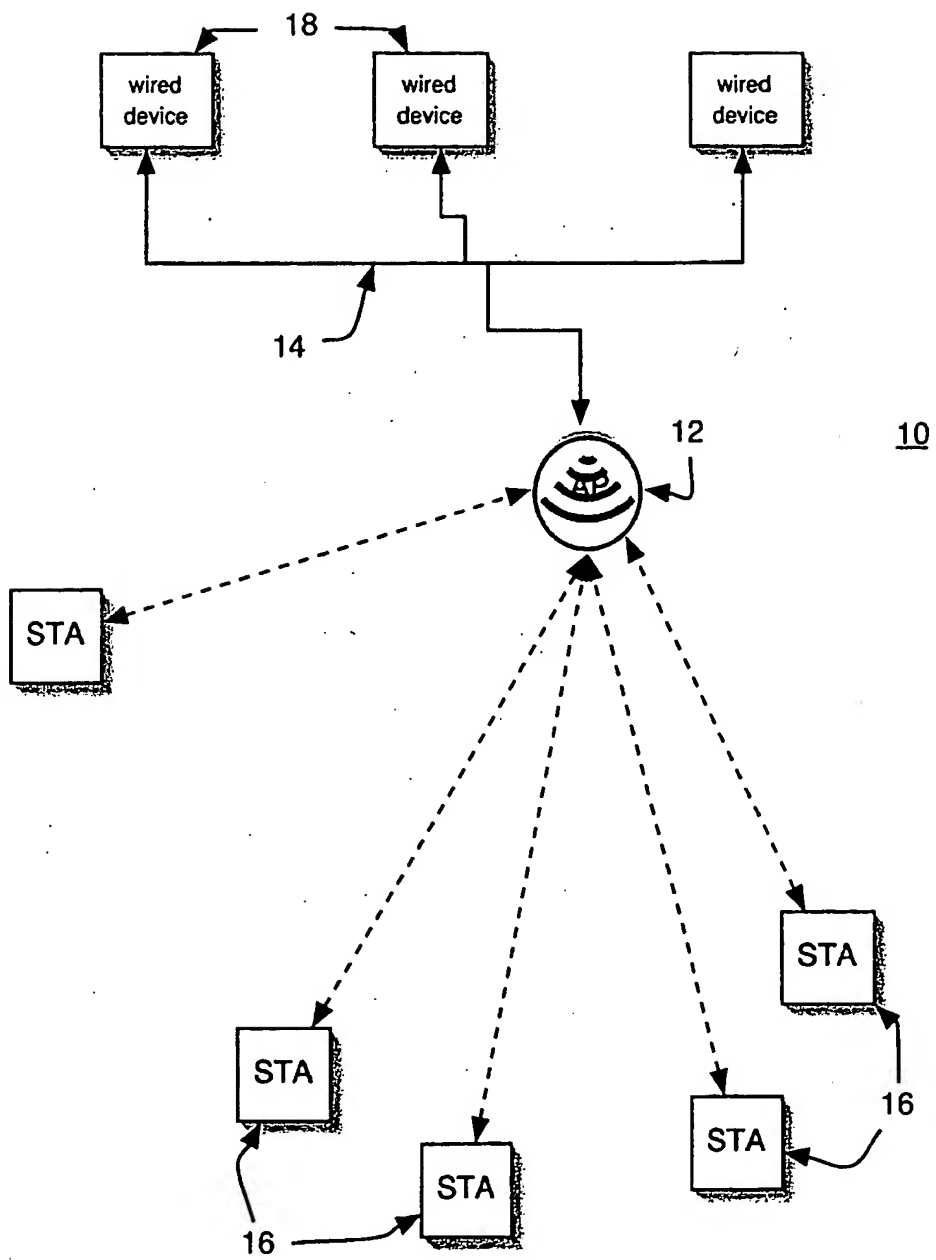


Fig. 1

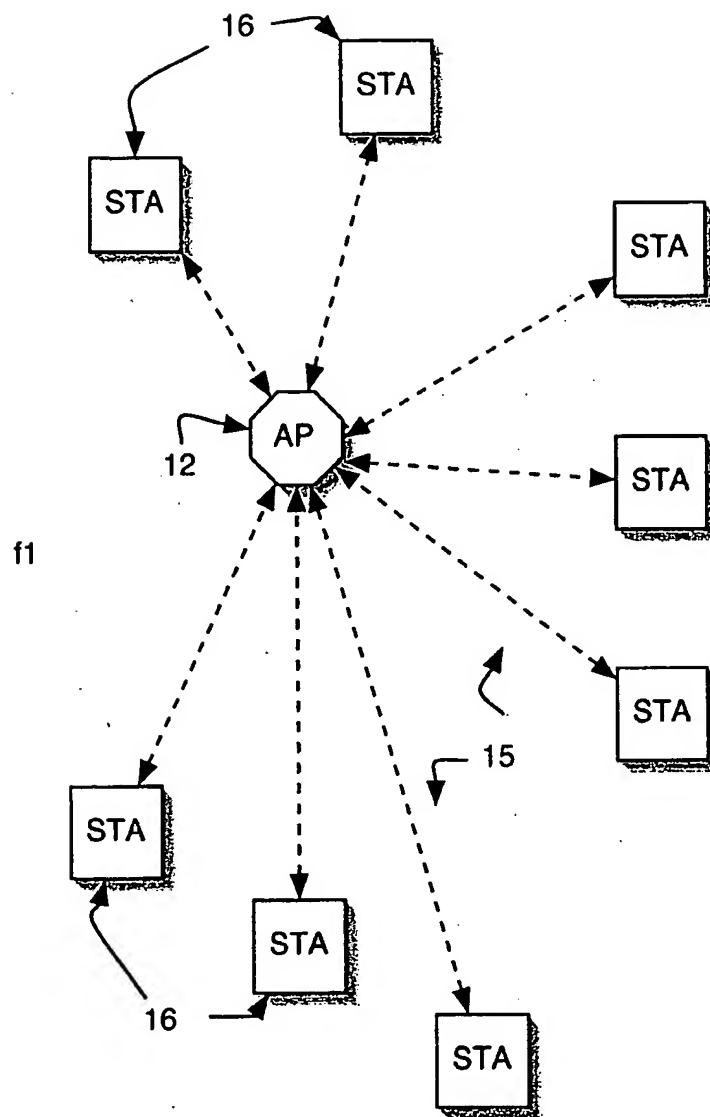


Fig. 2

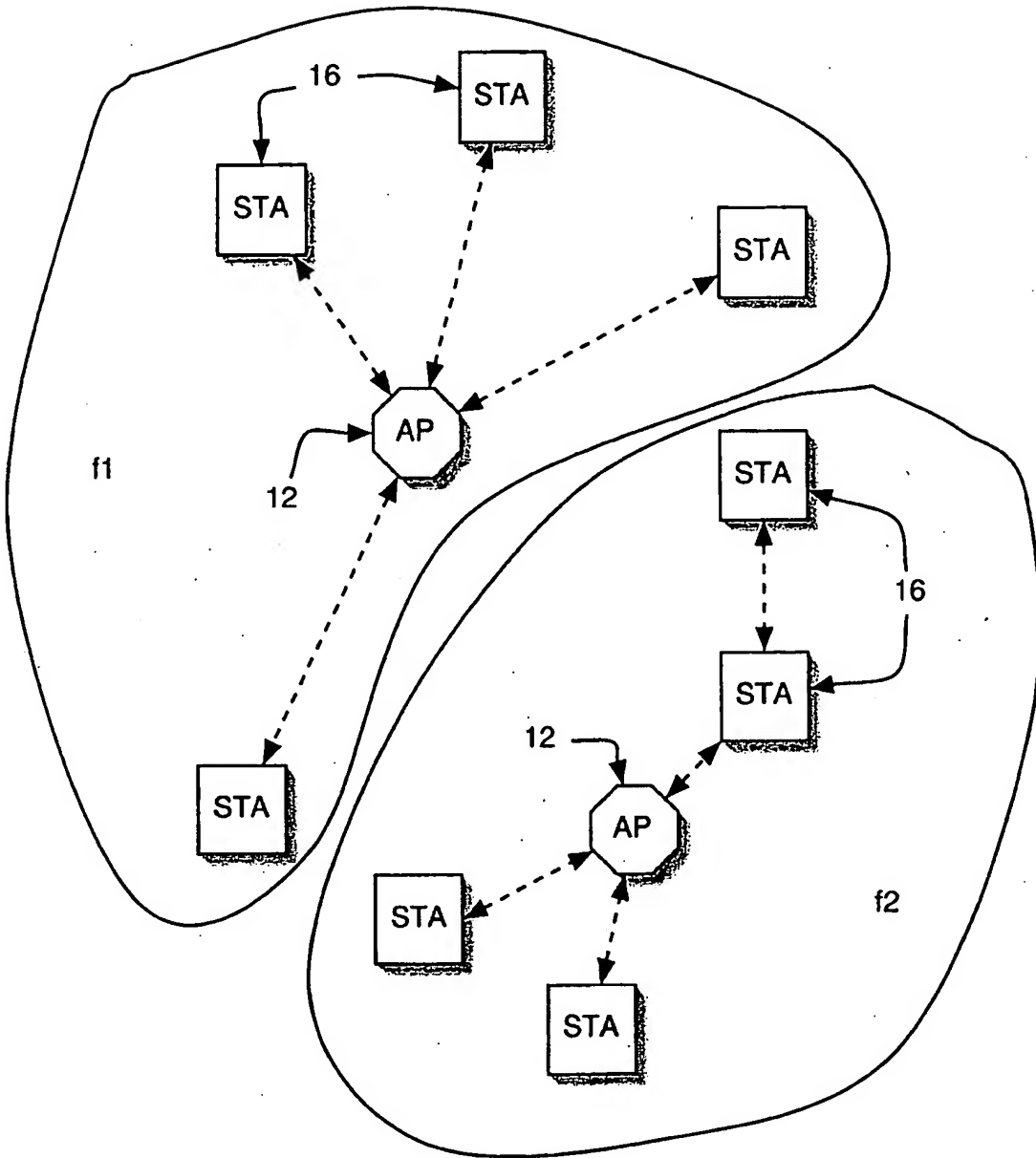


Fig. 3

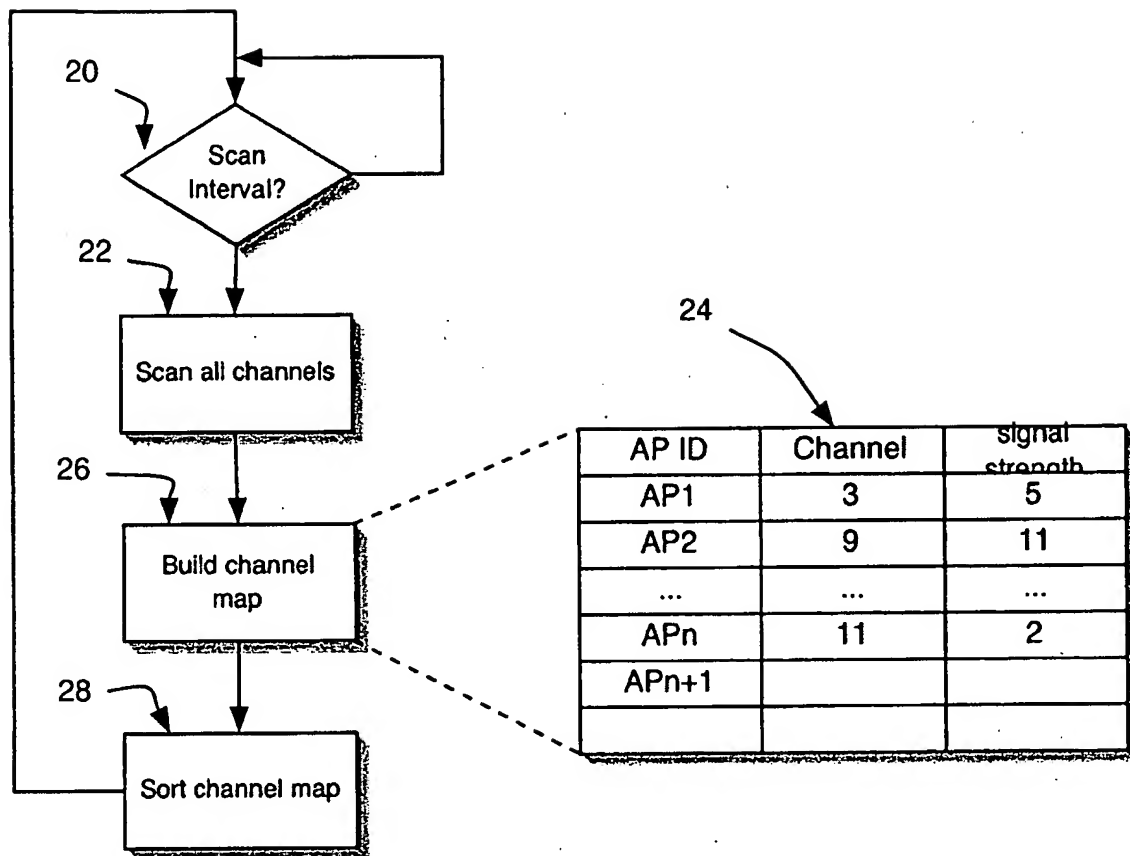


Fig. 4



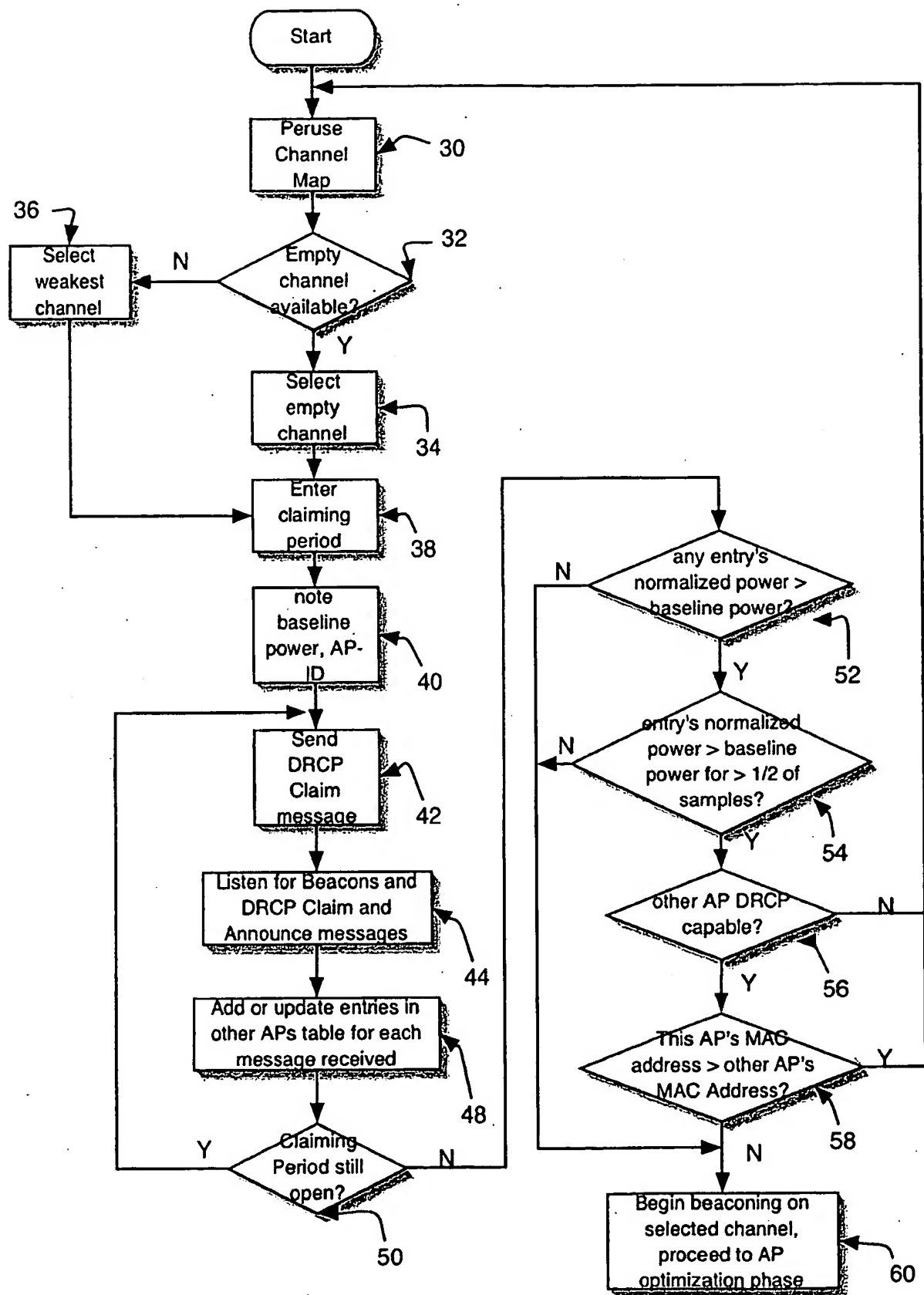


Fig. 5

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AP_ID	received power	TP Backoff	DRCP	Normalized received power
AP[1]	<list>	<list>	1	
AP[2]	0	?	0	
...	...	...	...	...
AP[n]	<list>	<list>	1	

Other APs Table

Fig. 6

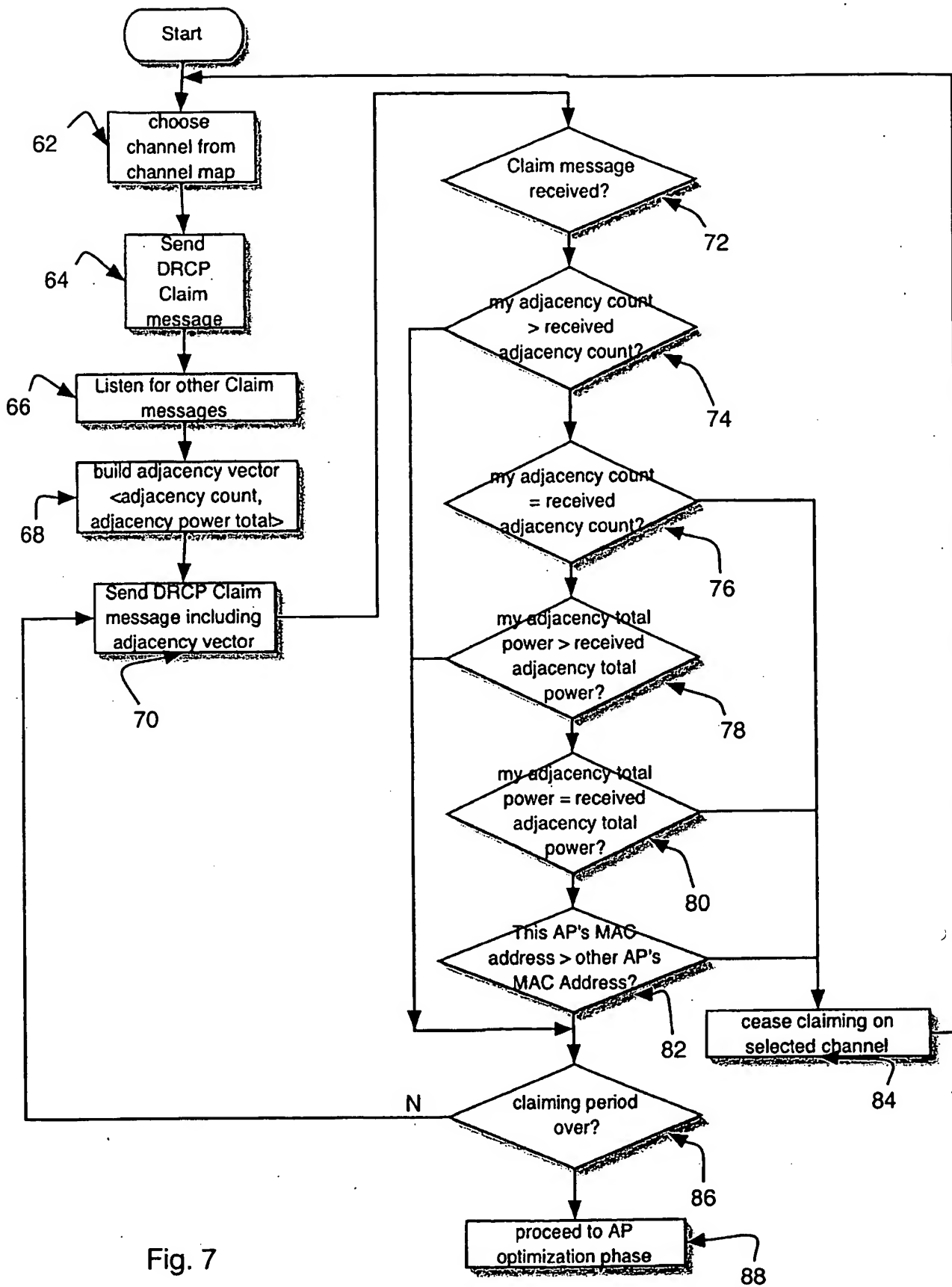


Fig. 7

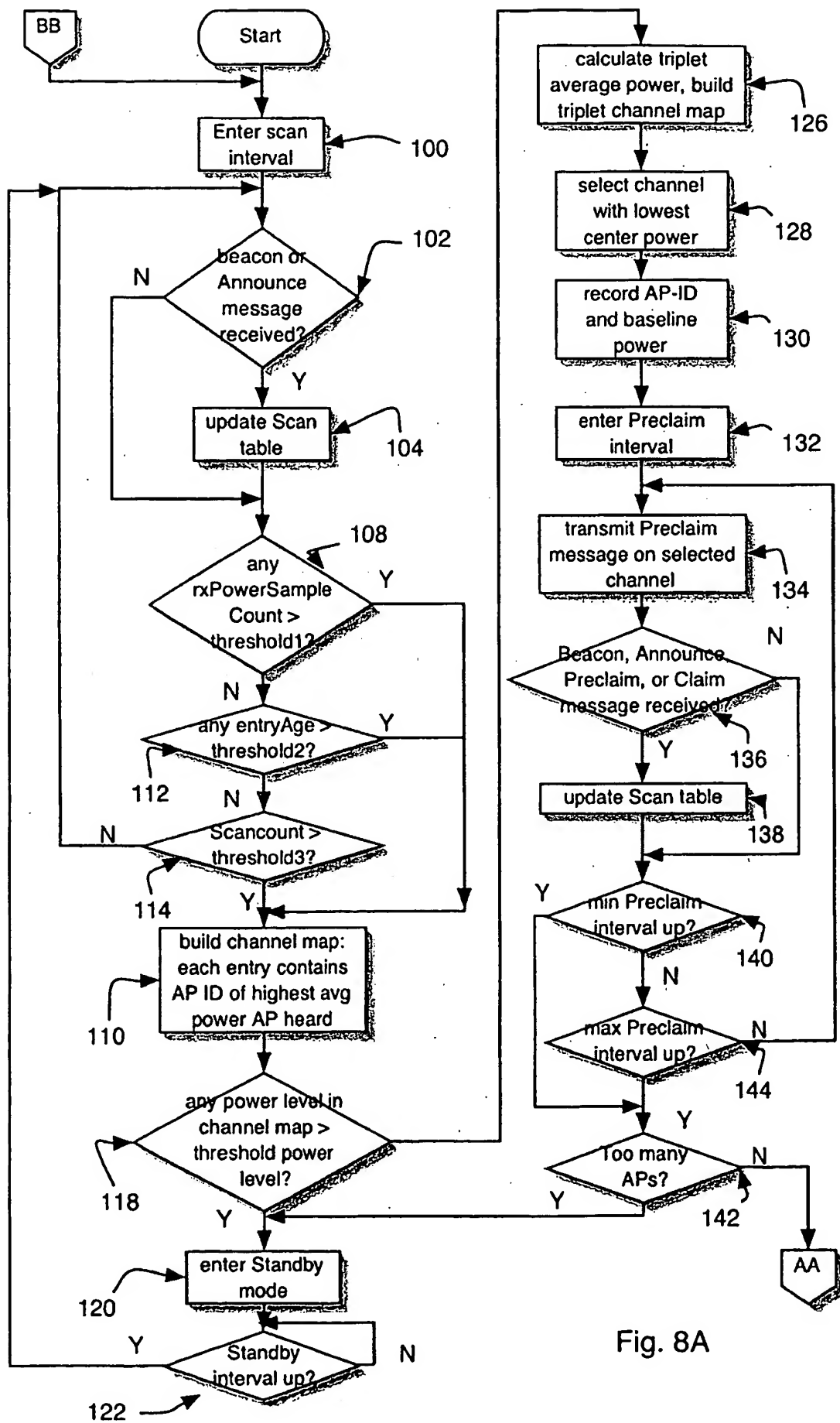


Fig. 8A

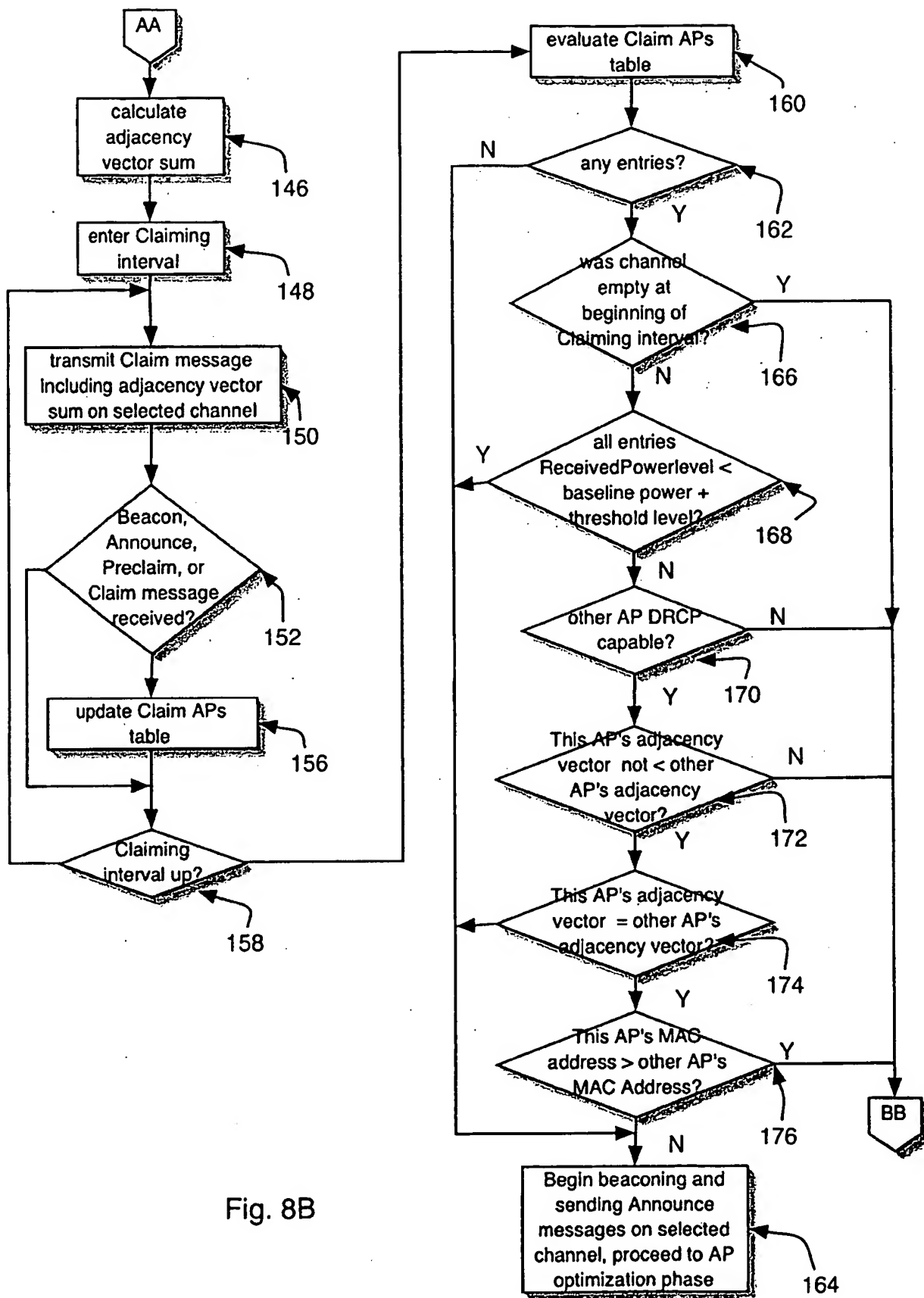



Fig. 8B

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AP_ID	Channel_ID	rxPowerRunning Total	rxPowerSample Count	rxPowerAvg	DRCP	Age
AP[1]	3	dbm	3	dbm	1	3
AP[2]	3	dbm	5	dbm	0	7
...	...	dbm	...	...	...	...
AP[n]	5	dbm	8	dbm	1	4

Scan Table

Fig. 9

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Channel_ ID	highestPwr AP_ID	highestPwrlevel
2	AP[1]	dbm
3	AP[2]	dbm
...	...	...
8	AP[n]	dbm

Channel Map

Fig. 10

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Channel	signal strength	Triplet avg	AP ID
2	5	5	3
3	2	5	11
4	8	5	2
1	3	6	8
2	9	6	6
3	6	6	1

Triplet channel map

Fig. 11



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AP-ID	ReceivedPowerlevel	DRCP
2	<list>	5
3	<list>	7
4	<list>	3
7	<list>	6
9	<list>	9
11	<list>	12

Claim APs table

Fig. 12

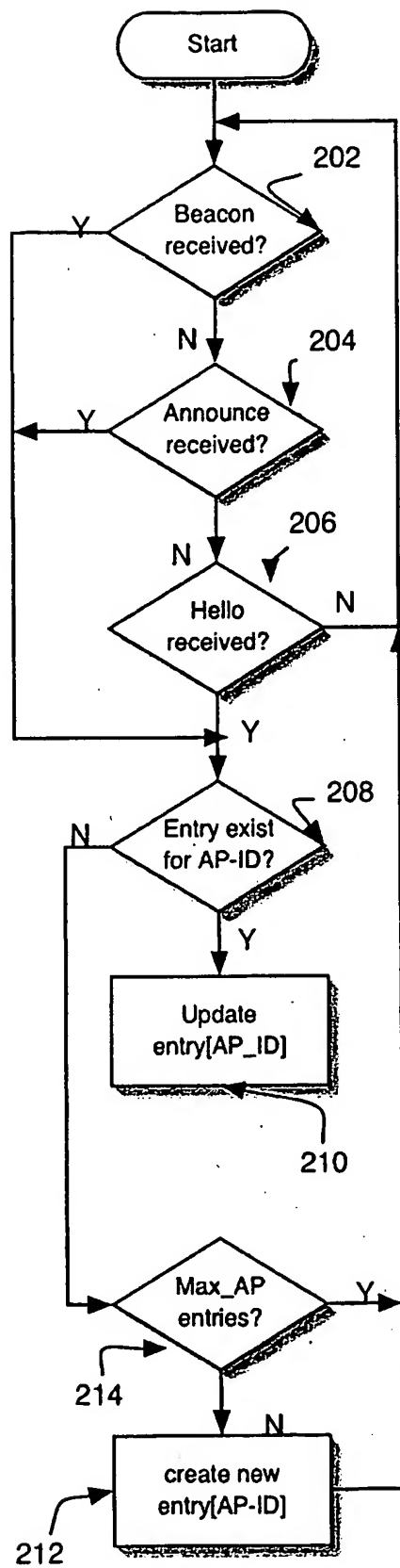


Fig. 13

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AP_ID	TP_Backoff	Max Power	DRCP	Age	Normalized power	sample size	corrected power
AP[1]	<list>	<list>	1	2	dbm	3	dbm
AP[2]	0	max power	0	3	dbm	4	dbm
...	...	...	...	...	...	...	...
AP[MAX_AP]	<list>	<list>	1	1	dbm	1	dbm

AP Known APs Table

Fig. 14